

NOTE:

The allegations and decision in this case fall under old rules. It has been classified under the most relevant of the current code sections and subsections.

IOWA BOARD OF EDUCATIONAL EXAMINERS

DONNA HENNINGSSEN, SUPERINTENDENT KEOTA COMMUNITY SCHOOL DISTRICT	:	
	:	CASE NO. 96-3
	:	
Complainant,	:	LICENSE NO. 123228
	:	
AND	:	
	:	
DANIEL JOSEPH SHAFFER	:	ORDER
	:	
Respondent.	:	

This matter comes before the Board of Educational Examiners on the Respondent's Stipulation and Agreement and Waiver of Formal Hearing. The Board has now had the opportunity to review fully the document which it deems in compliance with the voluntary surrender provisions which govern this Board's proceedings, those being 282-11.2(2).

After reviewing the Respondent's Stipulation, the Board approves same and herein Orders that the Respondent's license to teach in the State of Iowa be permanently revoked with no possibility of reissuance or reinstatement. A copy of the Stipulation and Agreement and Waiver of Formal Hearing is attached herein as Exhibit "A". A copy of the complaint is also attached as Exhibit "B."

IT IS, THEREFORE, ORDERED ADJUDGED AND DECREED that the Stipulation and Agreement and Waiver of Formal Hearing is accepted and Respondent's Iowa Teaching License is hereby permanently revoked with no possibility of reissuance or reinstatement.

Dated this 10th day of December, 1997.

Judith Brueggeman by Anne E. Luse
JUDITH BRUEGGE MAN, VICE-CHAIRPERSON

Original filed on December 10, 1997 at the office of the Board of Educational Examiners.

A

State of Iowa
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building
Des Moines, Iowa 50319

WAIVER OF FORMAL HEARING
BEFORE THE
IOWA BOARD OF EDUCATIONAL EXAMINERS

I, Daniel Joseph Shaffer, swear or affirm under oath:

that I am the Respondent in a case currently before the Iowa Board of Educational Examiners;

that I currently hold a valid Iowa teacher's license or an expired Iowa teacher's license;

that I have been informed of and have received a copy of the allegations against me; to wit, that the following criteria of professional practices have been violated: _____

that I have been informed of and understand the nature of the proceedings before the Board and have received a copy of the applicable rules (Iowa Administrative Code, Chapter 282);

that I am aware of the Board's legal authority to exonerate, warn, or reprimand me as a licensed individual, following a Board investigation into allegations of conduct violative of Board criteria, and of the Board's authority to suspend or revoke my license for conduct violative of Board criteria;

that I understand that I have an opportunity to be heard and to contest the allegations against me in formal hearing before the Board; and that by waiving the formal hearing, I admit as true the material facts of the allegations against me as indicated below, and as consequence, my privilege to teach in Iowa will be permanently revoked;

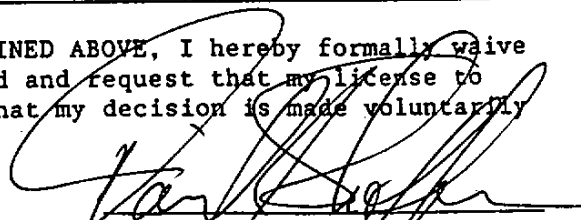

that I understand that by waiving formal hearing, I do not waive my right to notice of the Board's proposed decision, nor my right to appeal therefrom or to seek rehearing under the provisions of Iowa Administrative Code 282--11.11 and 11.12.

My actions which constituted violation(s) of the Board's criteria were as follows: those set forth in the complaint

HAVING ACKNOWLEDGED MY RIGHTS AS OUTLINED ABOVE, I hereby formally waive my right to a hearing before the Board and request that my license to teach in Iowa be revoked. I affirm that my decision is made voluntarily and knowingly.

6/9/97
DATE

9th day of June 1997
DATE


RESPONDENT

NOTARY PUBLIC
(seal applied)

Comm - 4-24-2000

STATE OF IOWA
BEFORE THE BOARD OF EDUCATIONAL EXAMINERS

DONNA HENNINGSEN, KEOTA
COMMUNITY SCHOOL DISTRICT
SUPERINTENDENT,

Complainant

and

DANIEL JOSEPH SHAFFER,

Respondent

COMPLAINT

NO.

96-3

The Superintendent of the Keota Community School District with administrative offices in Keokuk County, Iowa, for her Complaint states as follows:

1. Complainant Donna Henningsen's address is North Ellis Avenue, Keota, Iowa 52248. Her telephone number is (515) 636-2189; and FAX: (515) 636-3009.
2. Respondent is Daniel Joseph Shaffer, whose last known address is 977 Secrist Road, Springville, Iowa 52336-9741. His telephone number is (319) 854-6390. His Iowa professional license number is 123228 and his Social Security No. is 480-46-8941.
3. On or about September 11, 1995, a written Complaint was filed by a former Keota Community School District student alleging that Respondent had improper sexual contacts with the student while the student was enrolled in the District and in Respondent's class. The Complaint was investigated by law enforcement personnel, and it was determined that there was sufficient evidence to substantiate the allegations of improper sexual contact. Respondent resigned his position with the District on October 16, 1995, without admitting the allegations to District personnel.
4. Respondent Daniel Joseph Shaffer's actions are in violation of the criteria of professional practices adopted by the Iowa Board of Educational Examiners, including 282 I.A.C. §§ 12.2(1)(b), 12.2(1)(c), 12.3(1)(c), 12.3(1)(d), and 12.3(1)(f).
5. The Superintendent is represented in this matter by attorney Sue L. Seitz of Belin Harris Lamson McCormick, A Professional Corporation, 2000 Financial Center, Des Moines, Iowa 50309, telephone number (515) 243-7100, FAX number (515) 282-7615.

WHEREFORE, the Superintendent of the Keota Community School District respectfully requests that the Board of Educational Examiners investigate this Complaint, hold a hearing as necessary, and thereafter issue a decision revoking Respondent's license as an educator in the State of Iowa.

Respectfully submitted as of this 20th day of December, 1995.

By

Donna Henningsen, Superintendent
Keota Community School District